

**RULES, REGULATIONS AND RATES FOR THE  
RESALE OF INTEREXCHANGE TELECOMMUNICATIONS SERVICES**

**THROUGHOUT THE ENTIRE STATE OF KENTUCKY**

**BY**

**AVAILABLE TELECOM SERVICES, INC.**

Filed with the Public Service Commission of Kentucky

This Tariff sets forth the service offerings, rates, terms and conditions applicable to the furnishing of interexchange services by Available Telecom Services, Inc., to customers within the State of Kentucky. Available Telecom Services, Inc.'s principal office is at 5849 Okeechobee Boulevard, Suite 201, West Palm Beach, Florida, 33417. This Tariff applies for the services furnished within the State of Kentucky.

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

**MAY 26 2002**

PURSUANT TO 807 KAR 5.011,  
SECTION 9 (1)

BY Stephan O. Bell  
SECRETARY OF THE COMMISSION

Issued: April 26, 2002

**EFFECTIVE: May 26, 2002**

by:

**Jerry Stabler, President**  
5849 Okeechobee Boulevard, Suite 201  
West Palm Beach, Florida 33417

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**CHECK SHEET**

The sheets listed below, which are inclusive of this Tariff, are effective as of the date shown at the bottom of the respective sheets(s). Original and revised sheets comprise all changes from the original Tariff and are currently in effect as of the date of the bottom of this page.

Page NumberRevisions

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**CHECK SHEET--Cont'd**

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\* New or revised sheets

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**SYMBOLS**

The following are the only symbols used for the purposes indicated below:

D	Delete or Discontinue
I	Change Resulting In an Increase of Rates
M	Moved From Another Tariff Location
N	New Material
R	Change Resulting In a Reduction of Rates
T	Change in text or Regulation But No Change In Rate of Charge

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### **TARIEE FORMAT**

A. Sheet Numbering - Sheet numbers appear in the upper right corner of the page. Sheets are numbered sequentially. However, new sheets are occasionally added to the Tariff. When a new sheet is added between sheets already in effect, a decimal is added. For example, a new sheet added between sheets 14 and 15 would be 14.1.

B. Sheet Revision Numbers - Revision numbers also appear in the upper right corner of each page. These numbers are used to determine the most current sheet version on file with the KPSC. For example, the 4th revised Sheet 14 cancels the 3rd revised Sheet 14. Because of various suspension periods, deferrals, etc. the KPSC follows in the Tariff approval process, the most current sheet number on file with the Commission is not always the Tariff page in effect. Consult the Check Sheet for the sheet currently in effect.

C. Paragraph Numbering Sequence - There are nine levels of paragraph coding. Each level of coding is subservient to its next higher level:

- 2.
- 2.1.
- 2.1.1.
- 2.1.1.A.
- 2.1.1.A.1.
- 2.1.1.A.1.(a).
- 2.1.1.A.1.(a).I.
- 2.1.1.A.1.(a).I.(i).
- 2.1.1.A.1.(a).I.(i).(1).

D. Check Sheets - When a tariff filing is made with the KPSC, an updated check sheet accompanies the tariff filing. The check sheet lists the sheets contained in the Tariff, with a cross reference to the current revision number. When new pages are added, the check sheet is changed to reflect the revision. All revisions made in a given filing are designated by an asterisk (\*). There will be no other symbols used on this page if these are the only changes made to it (i.e., the format, etc. remains the same, just revised revision levels on some pages). The Tariff user should refer to the latest check sheet to find out if a particular sheet is the most current on file with the KPSC.

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**SECTION 1. DEFINITIONS AND ABBREVIATIONS**

**1.1 DEFINITIONS**

**Authorized User:** A person, firm, corporation, or other entity, which is authorized by the Customer to be connected to the service of the Company. An authorized user must be specifically named in the application for service.

**CLEC:** A Competitive Local Exchange Carrier, which is providing local exchange service.

**Commission:** The Kentucky Public Service Commission.

**Company:** Available Telecom Services, Inc., the issuer of this Tariff.

**Customer:** The person, firm, corporation, or other entity, which orders, service and is responsible for the payment of charges and compliance with the company's regulations.

**Day Rate Period:** 8:00 A.M. to 4:59 P.M.

**Deposit:** Part or all of an estimated monthly bill required to be paid before the start of service, which may be returned to, the Customer as provided herein.

**Evening Rate Period:** 5:00 P.M. to 10:59 P.M.

**Exchange:** A geographic area established by a telephone company and approved by the Commission for the administration of local telephone service in a specified area, which usually embraces a city, town or village and its environs. It may consist of one or more central offices together with associated plant used in furnishing communication service in that area.

**ECC:** The Federal Communications Commission.

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**Holidays:** The following Holidays are recognized by the Company for purposes of applying Holiday rates: New Year's Day, Presidents' Day, Easter, Memorial Day, July 4th, Labor Day, Thanksgiving, and Christmas Day.

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**SECTION 1. DEFINITIONS AND ABBREVIATIONS**

**IVR:** An automated Integrated Voice Response system.

**IXC:** An interexchange carrier or interexchange company which is a carrier or company authorized by the Commission to provide long distance communications services, but not local exchange services, within the State of Kentucky borders.

**InterLATA call:** Any call that originates in one LATA and terminates in another LATA.

**Interstate call:** Any call that originates in one state and terminates within the boundaries of another state.

**IntraLATA call:** Any call that originates and terminates within the boundaries of the same LATA, regardless of whether such call crosses LATA boundaries prior to reaching its termination point.

**LATA:** A Local Access and Transport Area as defined in the Code of Federal Regulations, Title 47, Part 53.3.

**LEC:** A local exchange company, which is providing local exchange service.

**Night Rate Period:** 11:00 P.M. to 7:59 A.M.

**Telecom Unit:** An inducement to purchase Prepaid Calling Card Service or Prepaid Long Distance Service and is measured as a one minute increment of time.

**V&H:** Vertical and Horizontal

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## 2. RULES AND REGULATIONS

### 2.1 UNDERTAKING OF THE COMPANY

#### 2.1.1 Scope

The Company undertakes to furnish interexchange services in accordance with the terms and conditions set forth in this Tariff.

#### 2.1.2 Shortage of Facilities

All service is subject to the availability of suitable facilities. The Company reserves the right to limit the length of communications or to discontinue furnishing services when necessary because of the lack of transmission medium capacity or because of any causes beyond its control.

#### 2.1.3 Terms and Conditions

a) Service is provided on the basis of a minimum period of at least one month, 24-hours per day. For the purpose of computing charges in this Tariff, a month is considered to have 30 days.

b) Customers may be required to enter into written service orders, which shall contain or reference a specific description of the service ordered, the rates to be charged, the duration of the services, and the terms and conditions in this Tariff. Customer will also be required to execute any other documents as may be reasonably requested by the Company.

c) In any action between the parties to enforce any provision of this Tariff, the prevailing party shall be entitled to recover its legal fees and court costs from the non-prevailing party in addition to other relief a court may award.

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## 2. RULES AND REGULATIONS

### 2.1 UNDERTAKING OF THE COMPANY--Cont'd

d) This Tariff shall be interpreted and governed by the laws of Kentucky, without regard for its choice of laws provision, and by Federal law, including the Communications Act of 1934, as amended, to the extent that Federal law applies.

### 2.2 CREDIT REQUIREMENTS AND DEPOSIT INFORMATION

#### 2.2.1 Credit Requirements

The Company reserves the right to examine the credit record and check the references of all applicants and Customers. The Company may examine the credit profile/record of any applicant prior to accepting the service order or Customer's Deposit. Acceptance of an application itself shall not obligate the Company to provide services or to continue to provide services, if a later check of applicant's credit record is, in the sole reasonable discretion of the Company, contrary to the best interests of the Company.

#### 2.2.2 Deposits

The Company may require a Customer to make a Deposit to be held as a guarantee for the payment of charges. Interest will accrue on customer deposits beginning on the date the deposit is made at 6 percent per annum.

### 2.3 BILLING OF CHARGES

- A. Charges for prepaid services provided to a CLEC shall be billed on a biweekly basis and shall be due no later than five (5) calendar days from the date of the invoice (the "Due Date.").
- B. Charges for prepaid services provided to residential customers are collected in advance of the provision of service.

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## 2. RULES AND REGULATIONS

### 2.3 BILLING OF CHARGES (Cont'd)

- C. In the event of a dispute concerning a bill, Customer must pay a sum equal to the amount of the undisputed portion of the bill and proceed with complaint procedures set forth in this tariff.
- D. Customer is responsible for payment of any state and local taxes which will be listed as separate line items.

### 2.4 Collection of Charges

The Customer is responsible for payment of all charges incurred by the Customer or Authorized User for services provided to the Customer by the Company. Charges are due and payable upon presentment of an invoice to the Customer for the service furnished. Service may be discontinued for nonpayment of a bill.

### 2.5 Return Check Charges

A return check charge of \$30.00 or 5% of the amount of the check (which ever is greater) will be assessed for checks returned for insufficient funds.

### 2.6 Billing Hours

The Company maintains three time-of-day billing periods, as follows:

Day Rate Period:

8:00 A.M. to 4:59 P.M.

Evening Rate Period:

5:00 P.M. to 10:59 P.M.

Night Rate Period:

11:00 P.M. to 7:59 A.M.

The night rates shall apply during weekends, until 5:00 P.M. Sundays, and on all Holidays, 24 hours per day.

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## **2. RULES AND REGULATIONS**

### **2.7 CONTINUITY OF SERVICE**

In the event of prior knowledge of an interruption of service for a period exceeding one day, the Company will undertake its best efforts to notify the Customer at least one week in advance of such known interruption.

### **2.8 CUSTOMER COMPLAINT PROCEDURES**

Company will resolve any dispute brought to its attention as promptly and effectively as possible. Customer Service Representatives can be reached by dialing the toll free number as advertised (1-888-744-4287) or by mail and fax at the following address:

Available Telecom Services, Inc.  
Attn: Marty Boscarino  
5849 Okeechobee Blvd., Suite 201  
West Palm Beach, FL 33417  
FAX: 561-640-1720

Any unresolved disputes may be directed to the attention of the Commission at 1-800-772-4636 or the following address:

Public Service Commission of Kentucky  
211 Sower Blvd.  
P.O. Box 615  
Frankfort, KY 40602-0615

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## 2. RULES AND REGULATIONS

### 2.9 DISCONTINUANCE OF SERVICE

#### 2.9.1 Cancellation for Cause by the Company

Upon nonpayment of any sum owing to the company, or upon violation of the provisions governing the furnishing of service under this Tariff, the Company, upon five (5) days written notification, and without incurring any liability, may discontinue such service.

#### 2.9.2 Cancellation of Service by a Customer

Service continues to be provided until canceled by the Customer in writing or until canceled by the Company as set forth above.

### 2.10 LIMITATION OF LIABILITY

- A. Except as otherwise stated in this section, the liability of the Company for damages arising out of either: (1) the furnishing of its services, including but not limited to mistakes, omissions, interruptions, delays, or errors, or other defects, representatives, or use of these services or (2) the failure to furnish its service, whether caused by acts or omission, shall be limited to the extension of allowances to the Customer for interruptions in service as set forth in Section 2.11.2.
- B. Except for the extension of allowances to the Customer for interruptions in service as set forth in Section 2.11.2, the Company shall not be liable to a Customer or third party for any direct, indirect, special, incidental, reliance, consequential, exemplary or punitive damages, including, but not limited to, loss of revenue or profits, for any reason whatsoever, including, but not limited to, any act or omission, failure to perform, delay, interruption, failure to provide any service or any failure in or breakdown of facilities associated with the service.

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## **2. RULES AND REGULATIONS**

### **2.11 LIMITATION OF LIABILITY – Cont'd**

C. The liability of the Company for errors in billing that result in overpayment by the Customer shall be limited to a credit equal to the dollar amount erroneously billed or, in the event that payment has been made and service has been discontinued, to a refund of the amount erroneously billed.

D. The Company shall not be liable for any claims for loss or damages involving:

1. Any act or omission of: (a) the Customer, (b) any other entity furnishing service, equipment or facilities for use in conjunction with services or facilities provided by the Company; or (c) common carriers or warehousemen;

2. Any delay or failure of performance or equipment due to causes beyond the Company's control, including but not limited to, acts of God, fires, floods, earthquakes, hurricanes, or other catastrophes; national emergencies, insurrections, riots, wars or other civil commotions; strikes, lockouts, work stoppages or other labor difficulties; criminal actions taken against the Company; unavailability, failure or malfunction of equipment or facilities provided by the Customer or third parties; and any law, order, regulation or other action of any governing authority or agency thereof;

3. Any unlawful or unauthorized use of the Company's facilities and services;

4. Libel, slander, invasion of privacy or infringement of patents, trade secrets, or copyrights arising from or in connection with the transmission of communications by means of Company-provided facilities or services; or by means of the combination of Company-provided facilities or services with Customer-provided facilities or services;

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**2. RULES AND REGULATIONS**

**2.11 LIMITATION OF LIABILITY – Cont'd**

5. Breach in the privacy or security of communications transmitted over the Company's facilities;

6. Changes in any of the facilities, operations or procedures of the Company that renders any equipment, facilities or services provided by the Customer obsolete, or require modification or alteration of such equipment, facilities or services, or otherwise affect their use or performance, except where reasonable notice is required by the Company and is not provided to the Customer, in which event the Company's liability is limited as set forth in Section 2.11.2.

7. Defacement of or damage to Customer premises resulting from the furnishing of services or equipment on such premises or the installation or removal thereof.

8. Injury to property or injury or death to persons, including claims for payments made under Workers' Compensation law or under any plan for employee disability or death benefits, arising out of, or caused by, any act or omission of the Customer, or the construction, installation, maintenance, presence, use or removal of the Customer's facilities or equipment connected, or to be connected to the Company's facilities;

9. Any intentional, wrongful act of a Company employee when such act is not within the scope of the employee's responsibilities for the Company and/or is not authorized by the Company;

10. Any representations made by Company employees that do not comport, or that are inconsistent, with the provisions of this Tariff.

11. Any non-completion of calls due to network busy conditions;

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## **2. RULES AND REGULATIONS**

### **2.11 LIMITATION OF LIABILITY – Cont'd**

12. Any calls not actually attempted to be completed during any period that service is unavailable.

E. The Company shall be indemnified, defended and held harmless by the Customer or end user from and against any and all claims, loss, demands, suits, expense, or other action or any liability whatsoever, including attorney fees, whether suffered, made, instituted, or asserted by the Customer or by any other party, for any personal injury to or death of any person or persons, and/or any loss, damage or destruction of any property, including environmental contamination, whether owned by the Customer or by any other party, caused or claimed to have been caused directly or indirectly by the installation, operation, failure to operate, maintenance, presence, condition, location, use or removal of any Company or Customer equipment or facilities or service provided by the Company.

F. The Company does not guarantee nor make any warranty with respect to installations provided by it for use in an explosive atmosphere. The Company shall be indemnified, defended and held harmless by the Customer from and against any and all claims, loss, demands, suits, or other action, or any liability whatsoever, including attorney fees, whether suffered, made, instituted or asserted by the Customer or by any other party, for any personal injury to or death of any person or persons, and for any loss, damage or destruction of any property, including environmental contamination, whether owned by the Customer or by any other party, caused or claimed to have been caused directly or indirectly by the installation, operation, failure to operate, maintenance, presence, condition, location, use or removal of any equipment or facilities or the service.

G. The Company assumes no responsibility for the availability or performance of Any cable or satellite systems or related facilities under the control of other entities, or for other facilities provided by other entities used for service to the Customer, even if the Company has acted as the Customer's agent in arranging for such facilities or services. Such facilities are provided subject to such degree of

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## **2. RULES AND REGULATIONS**

### **2.11 LIMITATION OF LIABILITY – Cont'd**

Protection or nonpreemptibility as may be provided by the other entities.

H. Except as otherwise stated in this Tariff, any claim of whatever nature against the Company shall be deemed conclusively to have been waived unless presented in writing to the Company within thirty (30) days after the date of the occurrence that gave rise to the claim.

**I. THE COMPANY MAKES NO WARRANTIES OR REPRESENTATIONS, EXPRESS OR IMPLIED EITHER IN FACT OR BY OPERATION OF LAW, STATUTORY OR OTHERWISE, INCLUDING WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR USE, EXCEPT THOSE EXPRESSLY SET FORTH HEREIN.**

#### **2.11.1 Overpayment**

The Company shall not be obligated to refund any overpayment by a Customer unless a written claim for such overpayment, together with substantiating evidence, which will allow the company to verify such claim, is submitted within one year of the alleged overpayment.

#### **2.11.2 Refunds for Interruption or Impairment to Carrier Service**

It shall be the obligation of the Customer to immediately notify the Company of any service interruption. The Company will refund the Customer for the duration of interrupted service within thirty (30) days of the interruption.

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## **2. RULES AND REGULATIONS**

### **2.12 NOTICES**

Any notice the Company may give to a Customer shall be deemed properly given when delivered, if delivered in person or when deposited with the U.S. Postal Service, addressed to the Customer's billing address or to such address as may be subsequently given by the Customer to the Company.

Except for cancellation of service or as otherwise provided by these rules, any notice from any Customer to the Company's business office may be given orally or by a writing mailed to the Company's business address. Cancellation of service must be by written notice.

### **2.13 PROMOTIONAL OFFERINGS**

The Company may, from time to time, engage in special promotional offerings, limited to certain dates, times, or locations as specified by the Company.

### **2.14 TAXES AND SURCHARGES**

In addition to the charges specifically pertaining to the Company's services, certain federal, state, and local surcharges, taxes and fees will be applied. The customer is required to pay all such surcharges, taxes and fees.

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### 3. DESCRIPTION OF SERVICE

#### 3.1 Availability of Service

Available Telecom Services, Inc. will offer and provide Interexchange Services, as defined in this Tariff.

Services are available on a full-time monthly basis and are available in all cities subject to the availability of facilities and/or equipment. The Company reserves the right to refuse to provide service where facilities or equipment are not available or economically feasible.

Rates and charges for service vary depending upon the option selected by the Customer. Certain service offerings may involve one or more of the following: a monthly recurring charge, a minimum monthly charge for intercity usage, charges for installation and account maintenance, and/or a one-time initiation of service charge.

#### 3.2 Timing of Calls

##### 3.2.1 When Billing Charges Begin and End For Phone Calls

The customer's long distance usage charge is based on the actual usage of the Company's network. Usage begins when the called party picks up the receiver (i.e., when 2-way communication, often referred to as "conversation time," is possible). When the called party picks up is determined by hardware answer supervision in which the local telephone company sends a signal to the switch or the software utilizing audio tone detection. When software answer supervision is employed, up to 60 seconds of ringing is allowed before it is billed as usage of the network. A caller is terminated when the calling party or called party hangs up.

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**SECTION 3 - DESCRIPTION OF SERVICE**

**3.2.2 Billing Increments**

Unless otherwise specified in this Tariff, the minimum call duration for billing purposes is 1 minute for a connected call and calls beyond 1 minute are billed in 1-minute increments.

**3.2.3 Per Call Billing Charges**

Billing will be rounded up to the nearest penny for each call.

**3.2.4 Uncompleted Calls**

There shall be no charges for uncompleted calls. A customer's account will only be charged for completed calls, which includes connecting with an answering machine, fax line, modem line and receiving an intercept message.

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**SECTION 3 - DESCRIPTION OF SERVICE****3.3 Calculation of Distance**

Usage charges for all mileage sensitive products are based on the airline distance between rate centers associated with the originating and terminating points of the call.

The airline mileage between rate centers is determined by applying the formula below to the vertical and horizontal coordinates associated with the rate centers involved. The Company uses the rate centers that are produced by Bell Communications Research in the NPA-NXX V & H Coordinates Tape and Bell's NECA Tariff No. 4.

FORMULA:

$$\frac{(V1 - V2)^2 + (H1 - H2)^2}{10}$$

EXAMPLE: Distance between Miami and New York City -

	V	H
Miami	8,351	529
New York	<u>4,997</u>	<u>1,406</u>
Difference	3,354	-877

Square and add:  $11,249,316 + 769,129 = 12,018,445$

Divide by 10 and round:  $12,018,445 \div 10 = 1,201,845$

Take square root and round:  $1,201,845 = 1097$

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by:

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**SECTION 3 - DESCRIPTION OF SERVICE**

**3.4 Minimum Call Completion Rate**

A customer can expect a call completion rate [EXPRESSED AS A PERCENTAGE] (number of calls completed / number of calls attempted) of not less than 90% during peak use periods for all FG D services ("1+" dialing).

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**SECTION 3 - DESCRIPTION OF SERVICE****3.5 Service Offerings****3.5.1 1+ Dialing**

1+ Dialing is a flat rate, direct access, interstate service. The customer utilizes "1+" dialing, or "10XXX" followed by "1 + 7 digits" or "1+ 10 digits" for intraLATA calls. With the exception of LEC extended calling area calls, 1+ Dialing offers the customer a minimum of a 30-second call and a flat rate of one tenth per minute thereafter. LEC extended calling area calls will be billed by the LEC. Intrastate services are offered in conjunction with interstate services.

**3.5.2 Prepaid Long Distance Service**

The Company offers prepaid long distance to CLECs. This service is available with 1+ dialing or by calling into an 800 number without a PIN to access the IVR system. The caller is prompted by the system to enter their language and destination number. The system will give them the balance in their account and the processor tracks the call duration to determine the number of Telecom Units consumed. The total consumed units for each call are deducted from the balance on the customer's account. A customer's call will be interrupted with an announcement when the balance is about to be depleted. Such announcement will occur when one (1) minute remains before the balance is depleted, based upon the terminating location of the call. The caller can place calls anywhere in the world with this service.

CLECs sign up through a website to enter customer information 24 hours a day, seven days a week. CLECs can collect and submit any dollar amount with a minimum of five (\$5.00) dollars. CLECs are billed bi-weekly and remit the balance less a discount. All information is processed automatically. An account can be set up and working within one to two hours of sign up.

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**SECTION 3 – DESCRIPTION OF SERVICE**

**3.5 Service Offerings – Cont'd**

**3.5.3 Prepaid Calling Card Service**

This service permits use of Prepaid Calling Cards for placing long distance calls. Customers may purchase a Prepaid Calling Cards at a variety of retail outlets or through other distribution channels. Prepaid Calling Cards are available at a variety of face values ranging from five dollars (\$5.00), in five-dollar (\$5.00) increments to twenty dollars (\$20.00). The Company also offers the At Home Card with a face value of \$14.95. This card is usable from the home and a customer can authorize the Company to become their prepaid long distance provider. Prepaid Calling Service is accessed using the toll-free number printed on the card. The caller is prompted by the IVR system to enter their language, the PIN on the card and the destination telephone number. The processor tracks the call duration on a real time basis to determine the number of Telecom Units consumed. The total consumed Telecom Units for each call, including all applicable taxes, is deducted from the remaining Telecom Unit balance on the customer's Prepaid Calling Card.

This service is offered for customer use 24 hours per day, seven days per week to all valid terminating locations excluding the following:

500 numbers  
700 numbers  
900 numbers  
Calls completed by a conference service  
Calls completed via dual party relay service  
Calls to busy line verification and interrupt service  
Calls requiring quotation of time and charges  
Operator assisted calls

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**SECTION 3 – DESCRIPTION OF SERVICE**

**3.5    Service Offerings – Cont'd**

**3.5.3.   Prepaid Calling Card Service – Cont'd**

All calls must be charged against a Prepaid Calling Card that has a sufficient Telecom Unit balance, which balance shall be determined by the Company. A customer's call will be interrupted with an announcement when the balance is about to be depleted. Such announcement will occur when one (1) minute remains before the balance is depleted, based upon the terminating location of the call.

The balance in Prepaid Calling Card Service accounts is nonrefundable and shall expire upon the date specified on the card.

**3.5.4   Directory Assistance**

This service provides the customer with long distance directory assistance upon dialing 1 + (area code) 555-1212.

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**SECTION 3 – DESCRIPTION OF SERVICE**

**3.5    Service Offerings – Cont'd**

**3.5.5    Inbound 800/877/888 Service**

Inbound 800/877/888 Service is inbound toll service that permits calls to be completed at the subscriber's location without charge to the calling party. Access to the service is gained by dialing a ten-digit telephone number that terminates at the customer's location. Inbound 800/877/888 services originate via normal shared use facilities and are terminated via the customers' local exchange service access line.

Company will accept a prospective Inbound 800/877/888 service customer's request for up to ten (10) 800/877/888 numbers and will reserve such number(s) on a first come first serve basis. All requests for 800/877/888 number reservations must be made in writing, dated and signed by a responsible representative of the customer. Company does not guarantee the availability of number(s) until assigned. The 800/877/888 services telephone number(s) so requested, if found to be available, will be reserved for and furnished to the eligible customer.

This service provides a customer with an 800/877/888 number for use within the continental United States, 24 hours per day, 7 days per week.

**3.5.6    Special Promotions**

The Company will, from time to time, offer special promotions to its customers. These promotions will have specific starting and ending dates and under no circumstances will run for longer than 90 days in any 12-month period.

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#### SECTION 4 - RATES

The rates and charges set forth below are applicable to interexchange services as provided by the Company.

##### 4.1 1+ Dialing

This service has a 30 second minimum, and calls will be rounded up to the nearest 1 / 10 minute for billing purposes, 24 hours per day, 7 days per week. Business and residential customers are offered an \$0.08 per minute rate unless they qualify for the Volume Discount Plan listed below. LEC extended calling areas as defined by LEC tariff.

##### 4.1.1. Volume Discount Plan

The Company offers a \$0.075 per minute rate to business customers who commit to a monthly revenue amount of \$1,500.00 or more and \$0.06 per minute on a monthly revenue amount of \$2,000.00 or more.

The Company offers a \$0.07 per minute rate to residential customers who commit to a monthly revenue amount of \$25.00 or more.

##### 4.2 Prepaid Long Distance Service

The Company offers CLECs four flexible rate plans to choose from:

Plan 1 is \$0.149 per minute with a 46% discount.

Plan 2 is \$0.139 per minute with a 42% discount.

Plan 3 is \$0.119 per minute with a 33% discount.

Plan 4 is \$0.099 per minute with a 19% discount.

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**SECTION 4 – RATES**

**4.3    Prepaid Calling Card Service**

This service has a 30 second minimum, and calls will be rounded up to the nearest three (3) minute interval. There is a 3-minute minimum.

**4.3.1    Domestic Calls**

The rates vary from \$0.01 per minute up to \$0.50 per minute. There is an access fee that ranges from \$0.39 to \$0.58. Payphone access fees mandated by the FCC will apply at a rate of \$0.69. A maintenance fee of \$0.50 to \$1.50 will be charged after the second call and each 30 days. All rates are for non-cellular calls. Cellular rates may be higher.

Monthly recurring charge: \$0.50 to \$1.00 each 30 days.

**4.3.2    International Calls**

The rates vary from \$0.025 up to \$1.30 per minute. The access fees range from \$1.00 up to \$3.75. All rates are for non-cellular calls. Cellular rates may be higher.

**4.4    Directory Assistance**

This service will be provided at a rate of \$1.20 per call.

**4.5    Inbound 800/877/888 Service**

This service has a 30 second minimum and calls will be rounded up to the nearest 1/10-minute.

\$0.18 per minute 24 hours per day 7 days per week.

If call originates from a payphone \$0.36 per minute 24 hours per day 7 days per week.

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4.6 Special Promotions (Reserved)

To be announced.

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**SECTION 4 – RATES**

**4.7 Pay Telephone (Payphone) Surcharge**

A surcharge shall be assessed for each call made from a pay telephone to an 800 number. This charge is reimbursed to the pay telephone service provider. The initial charge is \$0.70 per call, but may vary from time to time as the Federal Communications Commission or payphone service providers change the rate for pay telephone compensation.

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